

70-2
70-37

BEFORE THE
POLLUTION CONTROL HEARINGS BOARD
OF THE STATE OF WASHINGTON

IN THE MATTER OF THE APPEAL)
OF ITT RAYONIER INCORPORATED)
FROM WASTE DISPOSAL PERMITS)
NO. T-2867 AND T-3373 ISSUED)
BY THE DIRECTOR OF THE WATER)
POLLUTION CONTROL COMMISSION)
(NOW ABOLISHED) ON MARCH 30,)
1970 AND JUNE 29, 1970,)
RESPECTIVELY.)

PCHB DOCKET NO. 70-2

IN THE MATTER OF THE APPEAL)
OF ITT RAYONIER INCORPORATED)
FROM THE DIRECTOR OF)
ECOLOGY'S JANUARY 26, 1971)
ORDER DENYING APPLICATION)
FOR STAY.)

PCHB DOCKET NO. 70-37

FINAL DECISION
AND ORDER

The Pollution Control Hearings Board, having considered the
subscribed stipulation appended hereto and otherwise being fully
advised,

ORDERS, ADJUDGES AND DECREES that:

1. Findings of fact called for by R.C.W. 43.21B.100 and
findings and conclusions as to each contested issue of fact and

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Pollution Control Hearings Board
By _____

law called for by Chapter 371-03 W.A.C. are unnecessary under the circumstances under which this matter has been submitted and they are hereby dispensed with.

2. Docket Nos. 70-2 and 70-37 of this Board hereby are consolidated and made the subject of this single Final Decision and Order concluding both proceedings.

3. Docket No. 70-37 of this Board is terminated and dismissed.

4. The following conditions of Waste Discharge Permit No. T-2867 identified in the heading hereto are modified in the following manner:

A. Condition I.B. shall read:

It is a requirement with regard to permittee's industrial operation that a minimum of 85% of the Sulfite Waste Liquor (SWL) from its total pulp mill wastes be removed prior to discharge into state waters, or that SWL discharges from the total mill wastes be limited to 3,120,000 pounds per day (based on 10 percent solids by weight). In the event permittee elects to comply with the above stated requirement by installing and operating Sulfite Waste Liquor evaporation and burning facilities, permittee shall provide furnace capacity sufficient to remove 90% of the Sulfite Waste Liquor generated by permittee's operation. The implementation of these facilities shall be in accordance with the following requirements:

1. Permittee shall submit a preliminary engineering report describing the type and design of the facilities to the department and obtain an

approval of the same from the department by February 28, 1972.

2. Permittee shall submit final plans and specifications for said facilities to the department by June 30, 1972.
3. Permittee shall complete construction of said facilities and place the same in operation by June 30, 1974.

B. Condition I.C. shall read:

The permittee shall design, construct and place into operation a submarine outfall facility equipped with an adequate diffuser section to permit discharge of the treated mill wastes as provided for in Conditions I.A. and I.B. into the deeper waters of Port Angeles Harbor so as to achieve the maximum waste dilution and dispersion reasonably attainable. The implementation of the foregoing facility shall be in accordance with the following requirements:

1. Permittee shall submit a preliminary engineering report describing the location and design of the proposed outfall facility to the department and obtain approval of the same from the department by August 30, 1971. (The location and design described in said report is to be based upon the results of an extensive evaluation by the permittee of the effectiveness of the proposed outfall facility in adequately dispersing wastes discharged therefrom into Port Angeles Harbor.)

approval of the same from the department by February 28, 1972.

2. Permittee shall submit final plans and specifications for said facilities to the department by June 30, 1972.
3. Permittee shall complete construction of said facilities and place the same in operation by June 30, 1974.

B. Condition I.C. shall read:

The permittee shall design, construct and place into operation a submarine outfall facility equipped with an adequate diffuser section to permit discharge of the treated mill wastes as provided for in Conditions I.A. and I.B. into the deeper waters of Port Angeles Harbor so as to achieve the maximum waste dilution and dispersion reasonably attainable. The implementation of the foregoing facility shall be in accordance with the following requirements:

1. Permittee shall submit a preliminary engineering report describing the location and design of the proposed outfall facility to the department and obtain approval of the same from the department by August 30, 1971. (The location and design described in said report is to be based upon the results of an extensive evaluation by the permittee of the effectiveness of the proposed outfall facility in adequately dispersing wastes discharged therefrom into Port Angeles Harbor.)

2. Permittee shall submit final plans and specifications for the facility and obtain approval of the same from the department by November 1, 1971.
3. Permittee shall complete construction of said facility and place the same in operation by September 30, 1972.
4. From and after September 30, 1972, all wastes from the mill shall be discharged through the outfall facility as provided in Condition I.C.3., except that until completion of the facility required by Condition I.B. no more than 15% of the Sulfite Waste Liquor generated by the mill shall be discharged through such outfall facility unless expressly permitted by the Department of Ecology, and any amounts above the aforementioned 15% of the Sulfite Waste Liquor shall be discharged through the presently existing outfalls.

C. Condition I.D. shall read:

The permittee shall remove, by dredging, the existing sludge beds located on the beds of the waterway adjacent to the mill and, when feasible, dispose of the sludge on land. Sludge beds are defined as those bottom deposits associated with the mill operations which are over six (6) inches in depth and contain a volatile solids content of ten percent (10%) or greater. Detailed plans for carrying out this activity

will be dependent upon integrating it with the construction of primary treatment as provided in Condition I.A. hereof. Detailed plans shall, however, be submitted by permittee to the department and approval obtained from it no later than June 30, 1972. Completion of the dredging project shall be no later than September 30, 1974. The permittee shall have no obligation to remove any sludge beds or portions thereof if it has been notified in writing by the department that such beds should not be removed.

5. Waste Discharge Permit Nos. T-2867 and T-3373 are hereby merged as Waste Discharge Permit No. T-2867 (3373) as modified under paragraph 4 hereof and the wording of Waste Discharge Permit No. T-3373 is stricken in its entirety.

6. This 'FINAL DECISION AND ORDER' shall be effective immediately upon entry by this Board. The Department of Ecology is directed upon such entry to issue a temporary Waste Discharge Permit No. T-2867 (3373) consistent with the provisions hereof.

STATE OF WASHINGTON
POLLUTION CONTROL HEARINGS BOARD

By M. Matthew W. Hill
MATTHEW W. HILL, Chairman

Approved as to form and
for entry by the Board.
Notice of Presentment
and right to except pur-
suant to WAC 371-08-205
are waived hereby.

By _____
JAMES T. SHEERY, Member

By WILLIAM J. ...
WILLIAM J. ...

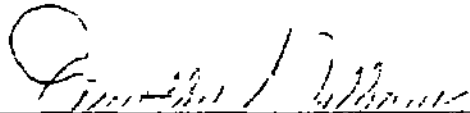
James T. Sheery
JAMES T. SHEERY
FINAL DECISION
AND ORDER

STIPULATION


Appellant, ITT Rayonier, and the State of Washington, Department of Ecology, through their attorneys hereby stipulate, for the purposes of compromise and settlement of the contested cases now subject to the jurisdiction of the Pollution Control Hearings Board of the State of Washington under the Board's Docket Numbers 70-2 and 70-37, as follows:

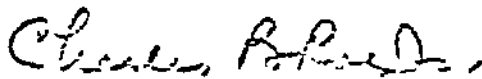
That the "FINAL DECISION AND ORDER" to which this "STIPULATION" is appended may be entered by the Board and the parties hereto waive all right to except thereto or right to seek judicial review relating to the entry thereof.

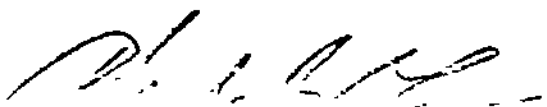
DATED this 30th day of March, 1971.


TIMOTHY S. WILLIAMS
General Counsel
ITT Rayonier, Incorporated

DE FOREST PERKINS


EUPHROSYNÉ C. ANDERSON
Attorneys for Appellant,
ITT RAYONIER, INCORPORATED


CHARLES B. ROE, JR.
Senior Assistant Attorney General


CHARLES W. LEAN
Assistant Attorney General

FINAL DECISION
AND ORDER

Attorneys for State of Washington,
Department of Ecology